

AFFIDAVIT

1. I, Melonie Mague, a Law Enforcement Officer with the Drug Enforcement Administration ("DEA"), being duly sworn, deposes and states:
2. Affiant is an officer or employee of the United States Department of Justice (DOJ), Drug Enforcement Administration (DEA) within the meaning of Section 878(a) of Title 21, United States Code, that is an officer who is empowered by law to conduct investigations, make arrests, and seize property for violations of Title 18, United States Code and Title 21, United States Code.
3. Affiant is a Special Agent (SA) for the United States Department of Justice, Drug Enforcement Administration (DEA), and has been so employed since June 2010. During Affiant's employment with the DEA, Affiant has been assigned to the Imperial County District Office (ICDO) in Imperial, CA and the Cleveland District Office (CDO) in Cleveland, Ohio.
4. I have received training, both formal and informal, in the enforcement of the drug laws, investigation of drug trafficking and money laundering organizations, drug recognition and terminology, undercover operations, interviewing techniques, and the use of electronic surveillance.
5. I have conducted investigations and/or participated in investigations related to the unlawful importation, possession with intent to distribute, and distribution of controlled substances. In conducting/participating in these investigations, I have used a variety of investigative techniques and resources, including physical and electronic surveillance and various types of informants and cooperating sources. Through my training, experience, and interaction with experienced agents, and other narcotics investigators, I have become

familiar with the methods employed by narcotics traffickers in general, and large Drug Trafficking Organizations (DTO) in particular, to smuggle, safeguard, and distribute narcotics, and to collect and launder narcotics-related proceeds.

6. Based on your affiant's experience, participation in the investigation of narcotics organizations, conversations with other agents, including those from the Federal Bureau of Investigation (FBI), Homeland Security Investigations (HSI), Bureau of Alcohol, Tobacco and Firearms (ATF), U.S. Customs and Border Protection (CBP), and other state and local law enforcement officers familiar with the narcotics trafficking and money laundering matters, your affiant has a clear understanding of the methods used by narcotics trafficking organizations. Based upon the above experience, Affiant is familiar with the *modus operandi* of persons involved in illicit distribution of controlled substances as well as the terminology used by persons involved in the illicit distribution of controlled substances. Affiant is aware that persons involved in the illicit distribution of controlled substances routinely attempt to conceal their identities as well as the location at which drug transactions take place. Furthermore, Affiant is aware that persons involved in the illicit distribution of controlled substances rely on their vehicles to (a) transport controlled substances to and from their customers and suppliers; (b) transport the proceeds of drug sales to and from customers and suppliers; (c) meet drug customers and suppliers in secluded, neutral, pre-arranged places to conduct drug trafficking business; and (d) store contraband and money at different locations, sometimes referred to as "stash houses."
7. In March and April of 2017, investigators from the DEA CDO and SPAN (Suburban Police Anticrime Network) narcotics unit debriefed a SPAN CS (Confidential Source),

hereafter referred to as "CS-1", who advised that he/she was in a position to purchase multiple grams of heroin from Kendal NELSON, aka WOP.¹ During the debriefings, CS-1 positively identified a Google Maps photo of 971 Parkway Road, (Upstairs Duplex), Cleveland, Ohio as NELSON's current residence and location where CS-1 had purchased heroin from NELSON on past occasions. CS-1 further maintained a favorable relationship with NELSON over the past several years, and knows NELSON to deal multiple grams to suspected ounce quantities of heroin as well as crack cocaine in the Northern District of Ohio (NDOH). During the debriefings, CS-1 also identified several other heroin customers formerly supplied by NELSON, some of which SPAN/DEA CDO investigators have linked to past non-fatal and fatal heroin overdose investigations in the eastern suburbs of Cleveland, Ohio. During the debriefings, CS-1 positively identified other "stash" locations-residences formerly utilized NELSON in Cleveland Heights, Ohio for the suspected storage of heroin and crack cocaine.

8. Your Affiant conducted a review of Kendal NELSON's criminal history via law enforcement databases, which indicated that on April 7, 1997, he was convicted of

¹ CS-1 is currently working as a SPAN CS in consideration for pending prosecution in Cuyahoga County on a felony two (F-2) corrupting another with drugs charge and a misdemeanor theft charge in Highland Heights, Ohio from March 14, 2017. CS-1 past criminal history also includes a misdemeanor criminal trespass conviction from April 10, 2013 stemming from a 2012 Richmond Heights Police Department (RHPD) arrest. CS-1 acknowledged that he/she brokered or "middled" a heroin transaction between NELSON and a non-fatal heroin overdose victim on January 22, 2017 at 971 Parkway Road, Cleveland, Ohio. Via a debrief of CS-1 by DEA/SPAN investigators, CS-1 stated that he/she consistently purchased \$50 -\$100 amounts of heroin (half to whole grams) for approximately two years (2015-2017) as NELSON's heroin customer. CS-1 advised to previously purchasing heroin at the 971 Parkway upstairs duplex and observing a Folgers coffee can and Bisquick pancake box in which NELSON stored his heroin. CS-1 further observed a digital scale in the 971 Parkway duplex on past occasion. CS-1 further advised to purchasing heroin from NELSON in the lower stairwell area of 971 Parkway Road which leads to upper duplex entrance at said location. In the past two years, CS-1 had further introduced Joe GREEN to NELSON, who then began to purchase ten grams of heroin at a time from NELSON for personal use/distribution through the eastern suburbs of Cleveland, Ohio. Joe GREEN is currently still being investigated by the SPAN narcotics unit for supplying heroin to a fatal overdose victim on July 23, 2016 in Mayfield Heights, Ohio. Affiant has corroborated most/all of CS-1's information and finds he/she to be reliable.

Unlawful Discharge of a Firearm. NELSON was sentenced in that case to 1 year of incarceration which was suspended, and he was placed on 1 year probation and fined \$500.00. On October 19, 2000, NELSON was convicted of Possession of Drugs (F-5), and was sentenced to 1 year probation. On April 3, 2003, NELSON was convicted of Possession of Drugs (F-5), Possession of Drugs (F-3), Carrying a Concealed Weapon (F-4), and Drug Trafficking (F-2), and was sentenced to 3 years of incarceration at the Lorain Correctional Institution (LCI). On December 11, 2008, NELSON was convicted of Drug Trafficking (F-5) and Possession of Criminal Tools (F-5), and NELSON was sentenced to 2 years of probation. A previous DEA records check indicated that NELSON was driving a rental vehicle on August 1, 2014, in which the OHSP (Ohio Highway State Patrol) seized \$6,600.00 of US Currency, suspected drug trafficking proceeds, from NELSON during a traffic stop in Cleveland, Ohio.

9. On March 28, 2017, at approximately 3:03 PM, Your Affiant established surveillance in the area of 971 Parkway Road, (Upstairs duplex- lower west doorway) Cleveland, Ohio, residence of Kendal NELSON. Approximately one minute later, TFO Giordano observed a blonde colored dog barking on the 971 Parkway upper duplex deck. At this time, a black Chevy Impala arrived on Parkway Road and parked across the street from said duplex. At approximately 3:06 PM, Your Affiant observed a red Ford SUV bearing Ohio license plate FSA-2945, registered to a Daisy RICKMAN, enter the driveway and park behind MERRIWEATHER's Lincoln sedan at 969-971 Parkway Road 2. Seconds later, an older black female, resembling RICKMAN, exited the driver side of the Ford

² Your Affiant conducted record of the Cuyahoga County Auditors website which indicated that 969 Parkway Road, Cleveland, Ohio, 44108, a two story, two family colonial, which contains the 971 Parkway upstairs duplex, is owned by Daisy RICKMAN, Parcel # 110-23-021.

SUV and then entered the front door of 969 Parkway Road. Shortly after, a younger black female, FNU LNU, emerged from the doorway of 971 Parkway, entered a Chrysler sedan, and it departed northbound on Parkway Road out of the view of Your Affiant. At approximately 3:11 PM, Your Affiant observed the upper duplex deck door to be open, the blonde dog was retrieved inside, and the upper deck door of 971 Parkway Road closed shortly after. Approximately one minute later, Kendal NELSON emerged from the front doorway of 971 Parkway Road, wearing a baseball cap and grey collared shirt. NELSON then walked to the black Chevy Impala and entered the passenger area. Your Affiant then observed the vehicle depart southbound on Parkway to the area of East 125th Street. Your Affiant continued to survey the black Chevy Impala to the area of Superior Avenue. At this time, Your Affiant observed the black Chevy to bear Ohio license plate FPX-6176, registered to Angela CARPENTER, and said vehicle then traveled southbound on Superior Avenue. Your Affiant continued to follow CARPENTER's vehicle to the area of Superior Avenue and Euclid Avenue. At this time, TFO Giordano observed the driver of CARPENTER's vehicle to be an older black male, FNU LNU, bearing a grey beard and sunglasses, later identified by CS-1 as Uncle LNU. NELSON remained as the solo passenger of CARPENTER's vehicle. At approximately 3:16 PM, Your Affiant terminated surveillance of CARPENTER's vehicle as it remained stationary at the red light of Superior Boulevard waiting to travel southbound across Euclid Avenue. Based on my training and experience, Affiant believed this residence is involved in drug trafficking.

10. On four occasions, April 20, May 3, May 9, and May 24, 2017, members of the DEA, utilizing CS-1, made controlled purchases of quantities of heroin and/or fentanyl from

NELSON. On each occasion, the confidential source used official advanced funds and arranged to buy heroin directly from NELSON. Each time, the CS and NELSON used the phone to arrange a place to meet to consummate the transaction and law enforcement saw NELSON leave his residence located at 971 Parkway Road, Cleveland OH to meet CS-1, and later return there in cars he had previously been observed driving.³ During each buy, CS-1 purchased what the lab confirmed was either heroin or a heroin/fentanyl mixture.

11. Based on these confidential informant buys, and other information, members of the DEA sought and received a search warrant to search NELSON's premises located at 971 Parkway Road, Cleveland OH. On Friday, June 2, 2017, Judge David A. Ruiz signed a search warrant for the residence (17MJ
12. Members of the DEA executed the warrant received on Wednesday, June 7, 2017, and entered the home at approximately 1:36 p.m. NELSON was inside the residence at the time of entry. Inside NELSON's bedroom, living room table and kitchen cabinet were the following items:
 - a. Approximately 40 grams of suspected Cocaine
 - b. Approximately 186 grams of suspected Heroin
 - c. Approximately 19 grams of suspected Marijuana
 - d. Approximately 100 pills of Tramadol, an opioid controlled substance (Schedule IV)
 - e. One Titan Tiger .38 revolver, Serial number 024802 loaded with three rounds and one shell in the chamber
 - f. One 22 revolver with an unknown make and model

³ During each transaction, controlled buy protocols were used to ensure the confidential source had no contraband and corroborated DEA surveillance of the buy.

13. Based on this information, and the items found inside the home where NELSON lived,

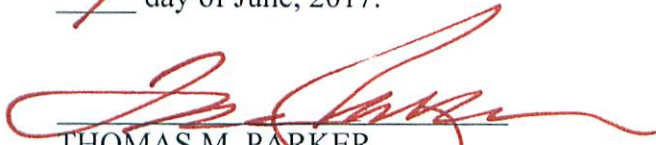
Affiant now requests a complaint and warrant for NELSON's arrest.



Melonie Mague
Drug Enforcement Administration

Sworn to and subscribed before me this

7 day of June, 2017.



THOMAS M. PARKER
United States Magistrate Judge